

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

THOMAS EVERETTE,	:	Case No. 3:10-cv-343
	:	
Petitioner,	:	Judge Timothy S. Black
	:	Magistrate Judge Michael R. Merz
vs.	:	
	:	
MICHAEL SHEETS, Warden,	:	
Warren Correctional Institution,	:	
	:	
Respondent.	:	

**DECISION AND ENTRY: (1) ADOPTING THE REPORT AND
RECOMMENDATIONS OF THE UNITED STATES MAGISTRATE JUDGE
(Docs. 9, 11); AND (2) DISMISSING THIS ACTION WITH PREJUDICE**

This case is before the Court pursuant to the Order of General Reference in the United States District Court for the Southern District of Ohio Western Division to United States Magistrate Judge Michael R. Merz. Pursuant to such reference, the Magistrate Judge reviewed the pleadings filed with this Court, and, on December 20, 2010, submitted a Report and Recommendations. (Doc. 9). Subsequently, the Petitioner filed Objections to the Report and Recommendations (Doc. 10) and Magistrate Judge Merz submitted supplemental Report and Recommendations (Doc. 11).

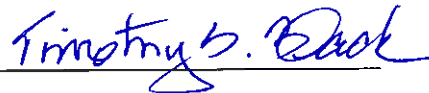
As required by 29 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b), the Court has reviewed the comprehensive findings of the Magistrate Judge and considered *de novo* all of the filings in this matter. Upon consideration of the foregoing, the Court does determine that such Report and Recommendations should be and is hereby adopted in their entirety; and Petitioner's Objections to the Report and Recommendations are overruled.

Accordingly:

1. The Petition for Writ of Habeas Corpus (Doc. 1) is **DISMISSED** with prejudice;
2. The Court certifies that, pursuant to 28 U.S.C. § 1915(a)(3), an appeal of this Order would not be taken in good faith; and
3. This case is **TERMINATED** on the docket of this Court.

IT IS SO ORDERED.

Date: 1/10/11



Timothy S. Black
United States District Judge